

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

KELLY A. MCQUAGE,)	
)	
Plaintiff,)	
)	Case No. 2:18-cv-02781-SHL-cgc
v.)	
)	JURY DEMANDED
SAFETY PRODUCTS, INC.,)	
)	
Defendant.)	

REPORT OF PARTIES' PLANNING MEETING AND PROPOSED DISCOVERY PLAN

Plaintiff Kelly A. McQuage ("Plaintiff") and Defendant Safety Products, Inc. ("Defendant") respectfully submit this Rule 26(f) Report and Proposed Discovery Plan:

Pursuant to Fed. R. Civ. P. 26(f), Counsel for Defendant and Counsel for Plaintiff conferred on December 21, 2018 via email for the purpose of complying with the requirements of Rule 26(f). The Parties jointly file this Report of Parties' Planning Meeting and Proposed Discovery Plan:

1. Pre-Discovery Disclosures. On January 30, 2019, the Parties will exchange the information required by Fed. R. Civ. P. 26(a)(1).
2. Discovery Plan. The Parties jointly propose to the Court the following discovery plan:
 - a. Discovery will be needed regarding Plaintiff's claims and Defendant's defenses and counterclaims.
 - b. All discovery shall be commenced in time to be completed in accordance with the Scheduling Order entered in this civil action.

- c. In accordance with Federal Rule of Civil Procedure Rule 33, Interrogatories will be limited to a maximum of twenty-five (25) Interrogatories, including all discrete subparts, by each Party to any other Party. Answers and objections shall be served within thirty (30) days after service of the Interrogatories, unless a shorter or longer time is directed by the Court or is agreed to in writing by the Parties subject to Federal Rule of Civil Procedure 29.
- d. Requests for Admissions and the responses thereto shall be governed by and subject to the provisions of Federal Rule of Civil Procedure 36.
- e. Depositions shall be limited to a maximum of eight (8) depositions by Plaintiff and eight (8) depositions by Defendant, unless leave is granted by the Court to exceed eight (8) depositions. Each deposition shall be limited to a maximum of seven (7) hours unless extended by agreement of the Parties.
- f. Reports of retained experts shall be served in accordance with the Scheduling Order entered in this case.
- g. Supplementation of disclosures and responses to requests for discovery shall be made in compliance with Federal Rule of Civil Procedure 26(e) and the Scheduling Order entered in this case.

3. Other items.

- a. Initial Motions to Dismiss. Any such motions should be filed by the deadline for doing so by the Scheduling Order filed in this civil action.
- b. Joinder of Additional Parties and Amendment to Pleadings. Joinder of additional parties and amendment of pleadings shall be made by the deadlines established by the Scheduling Order entered in this civil action.

- c. Final Dispositive Motions. All potentially dispositive motions shall be filed by the deadline for such filing established by the Scheduling Order entered in this civil action.
- d. Final Witness & Exhibit Lists. The final list of witnesses and all documents or other exhibits as required by Federal Rule of Civil Procedure 26(a)(3) shall be provided by the deadline for such disclosures as established by the Scheduling Order entered in this civil action.
- e. Prospects for Settlement. Since no discovery in this matter has ensued, the Parties agree that settlement discussions are premature. However, as indicated in the joint proposed Scheduling Order, the Parties agree to engage in court-annexed attorney mediation or private mediation by April 10, 2019.
- f. Pre-Trial Conference. The Parties request a pre-trial conference prior to trial and such conference shall be held as set forth in the Scheduling Order in this civil action.
- g. Trial. This civil action will be ready for a three (3) day jury trial beginning on the date established by the Scheduling Order entered in this civil action.

Respectfully submitted this the 9th day of January, 2019.

SUBMITTED AND APPROVED BY:

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